

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Richard Shmar Mathis

Case No. 2:24-mj-30508

Assign. Date : 11/25/2024

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 6, 2023 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 922 (a)(6)
18 U.S.C. § 2

Making a False Statement During the acquisition of a firearm
Aiding and Abetting

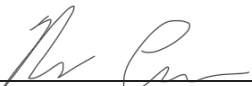
This criminal complaint is based on these facts:
see attached affidavit.

☒ Continued on the attached sheet.

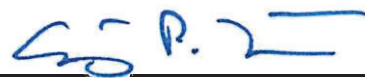
Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: 11/25/2024

City and state: Detroit, MI


Complainant's signature

Richard Cousins, Special Agent, ATF
Printed name and title


Judge's signature

Hon. Anthony P. Patti, United States Magistrate Judge
Printed name and title

) AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Special Agent Richard J. Cousins, being first duly sworn, hereby depose and state as follows:

I. INTRODUCTION

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) since April 2023. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7), and I am empowered by law to conduct investigations and make arrests for offenses enumerated under federal law. I have authored several federal search warrants, federal criminal complaints, and federal arrest warrants.

2. I have had extensive training at the Federal Law Enforcement Training Center in the Criminal Investigator Training Program and ATF Special Agent Basic Training. In addition, prior to my employment with ATF, I was a U.S. Customs and Border Protection Officer with United States Customs and Border Protection for approximately three years. I also have a bachelor’s degree in political science.

3. I am working in conjunction with several agents who have extensive experience in criminal investigations, including investigations involving firearms, armed drug tracking, and criminal street gangs. As law enforcement officers, they have utilized a variety of investigative techniques and resources, including physical and electronic surveillance, undercover and various types of informants, and cooperating sources.

4. I have personal knowledge or have been provided by other law enforcement officers with the facts set forth herein. I have not included every fact known to law enforcement concerning this investigation. I have only set forth the facts necessary to establish probable cause that Richard Shmar MATHIS violated 18 U.S.C. §§ 922(a)(6) and 2 – Aiding and Abetting Making a False statement During the Acquisition of a Firearm – on December 6, 2023.

II. BACKGROUND OF THE INVESTIGATION

5. ATF has been investigating Richard MATHIS and two of his co-conspirators for violations of federal firearm laws since January 2024.

6. Between the months of January and February 2024, I reviewed National Integrated Ballistic Information Network (“NIBIN”)

reports, along with Detroit Police reports, E-Trace reports, and ATF Form 4473's associated with firearms believed to be purchased by Co-conspirator #1, a real person whose identity I know. These reports led to the discovery of at least 12 different firearms purchased by Co-conspirator #1 from federally licensed firearms dealers between the months of December 2023 and February 2024.

7. When an individual purchases a firearm from a federally licensed firearms dealer, he or she is required to complete an ATF Form 4473. Among other things, the form asks for the purchaser's name, address, and other identifying information. It also requires the purchaser to verify that he or she is the actual intended purchaser of the firearm. Specifically, question 21.a. of Form 4473 asks, "Are you the actual transferee/buyer of all of the firearm(s) listed on this form and any continuation sheet(s) (ATF Form 5300.9A)?" Purchasers must check a box "yes" or "no." The question is then followed by the following admonition **"Warning: You are not the actual transferee/buyer if you are acquiring any of the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer any of the firearm(s) to you.** Exception: If you are

only picking up a repaired firearm(s) for another person, you are not required to answer 21.a. and may proceed to question 21.b.”

8. I reviewed an ATF Form 4473 reflecting that Co-conspirator #1 purchased the following firearm on December 6, 2023:

a. One (1) Glock, 19 Gen 5, 9mm pistol, bearing serial number BWSL129, purchased from Opplemans Trading & Exchange Co. (Pawn Shop) (“Opplemans”).

9. Opplemans is a federally licensed firearms dealer in Allen Park, Michigan.

10. The Glock that Co-conspirator #1 purchased on December 6, 2023 was recovered from another individual in Detroit during that individual’s arrest on December 14, 2023. That individual was brandishing the Glock inside of a local grocery store. The Glock also had a NIBIN lead to an incident in which multiple gunshots were detected on December 8, 2023.

11. The Form 4473 completed in connection with the above purchase lists Co-conspirator #1’s name, date of birth, and address. Additionally, the Form 4473 has the “yes” box checked for question 21.a.

12. On October 18, 2024, ATF obtained a federal search warrant for MATHIS’ Instagram account. During a review of that account,

agents found several conversations reflecting MATHIS' involvement in Co-conspirator #1's purchase of the Glock on December 6, 2023.

13. Specifically, on November 4, 2023, MATHIS contacted, through Instagram, an individual with the Instagram vanity name "xxxxxxxxxy67" to discuss finding a person to purchase firearms for him.

a. MATHIS sent a message asking, "Aye u kno who let me pay em to go in gun store."

b. xxxxxxxxxxxxy67 responded, "My mans said he'll go in that btc for you."

c. MATHIS asked, "How much he want" and "Wen can he go?"

d. xxxxxxxxxxxxy67 responded, "150 todody."

14. xxxxxxxxxxxxy67 then provided MATHIS with a phone number to contact the person. The number was the same phone number that Co-conspirator #1 listed as his phone number on Pistol Sales Records associated with his purchases of firearms between December 2023 and February 2024, including the December 6, 2023 purchase of the Glock.

15. On January 17, 2024, Detroit police officers arrested Co-conspirator #2, a real person whose identity I know. Officers seized Co-

conspirator #2's phone during his arrest and obtained warrants to search the phone. ATF Special Agent Brady Rees reviewed the forensic download of Co-conspirator #2 cellular phone and found communications between Co-conspirator #2, MATHIS, and Co-conspirator #1 wherein they arrange for Co-conspirator #1 to purchase firearms for MATHIS and Co-conspirator #2. The phone number associated with MATHIS is listed in Co-conspirator #2's phone as "Bugz."

16. Below is a summary of a text conversation between MATHIS, Co-conspirator #2, and Co-conspirator #1 that occurred between December 5 and 6, 2023:

- a. On December 5, 2023, Co-conspirator #2 stated, "Go grab it."
- b. MATHIS responded with an address known to belong to Co-conspirator #1 and stated, "Don't say nth abt pole [firearm] to leak."
- c. Co-conspirator #2 asked, "Wym [what you mean] the switch or gun."
- d. MATHIS responded, "No store."

e. On December 6, 2023, MATHIS stated, “Send me 20 I’ll give rt back on tone I’m at the store. Trying to grab both of these 19s.”

17. In my training and experience, I believe that in this conversation, MATHIS and Co-conspirator #2 are discussing MATHIS going to pick up the Glock 19 from Co-conspirator #1 that Co-conspirator #1 purchased on December 6, 2023.

18. Also on December 6, 2023, Co-conspirator #2 sent a text message to Co-conspirator #1 stating, “And how much BUgz tell you we was paying u?” Co-conspirator #1 responded, “50. He said that’s all Bro hah right now.” Co-conspirator #2 stated, “Bet. She finna come get u?” Co-conspirator #1 responded, “Yeah she said she’s on her way right now.” Co-conspirator #1 later stated, “Make sure he scratched them serial numbers off.” Co-conspirator #2 responded, “Already did gang.” In my training and experience, I believe in this conversation, Co-conspirator #1 confirms that MATHIS agreed to pay him \$50 to purchase the Glock and told Co-conspirator #2 to scratch the serial number off the firearm.

19. Co-conspirator #1 was subsequently arrested as part of ATF’s investigation.

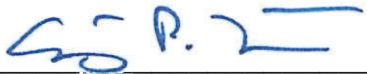
20. On February 14, 2024, ATF Special Agents interviewed Co-conspirator #1. MATHIS' Instagram records reflect that on that same day, Co-conspirator #1 messaged MATHIS, utilizing Instagram, about the encounter and warned him that federal agents were investigating MATHIS.

21. Based on the above, there is probable cause to believe that MATHIS violated 18 U.S.C. §§ 922(a)(6) and 2 – Aiding and Abetting Making a False statement During the Acquisition of a Firearm, on December 6, 2023.



Special Agent Richard Cousins
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Hon. Anthony P. Patti
United States Magistrate Judge

Dated: November 25, 2024